AGENDA

Acalanes Union High School District

1212 Pleasant Hill Road, Lafayette, CA 94549
www.acalanes.k12.ca.us
925-280-3900 ♦ Fax 925-932-2336

GOVERNING BOARD

Judy Carney
President

Kathleen R. Coppersmith
Clerk

Vanessa Crews
Member

Tom Mulvaney
Member

Richard Whitmore
Member

Michelle Caine
Student Board Member

DISTRICT ADMINISTRATION

James P. Negri
Superintendent

John P. Stockton
Associate Superintendent, Educational Services

Christopher J. Learned
Assistant Superintendent, Business Services

SCHOOLS

Acalanes Adult Education
Walnut Creek

Acalanes Center for Independent Study
Walnut Creek

Acalanes High School
Lafayette

Campolindo High School
Moraga

Del Oro High School
Walnut Creek

Las Lomas High School
Walnut Creek

Miramonte High School
Orinda

RECEIVED
AUG 1 1 2008
CITY OF LAFAYETTE

August 7, 2008

Steve Falk, City Manager
City of Lafayette
3675 Mt. Diablo Blvd., #210
Lafayette, CA 94549

Dear Steve,

On July 21, the Governing Board of the Acalanes Union High School District adopted a resolution placing a $93 million bond measure on the November 2008 ballot. The bond will not increase the current tax rate and will allow the district to adequately address facility and infrastructure needs.

The bond will:

- Update classroom instructional technology
- Replace worn, aging roofs
- Upgrade electrical and energy management systems to improve efficiency
- Repair, construct, equip, or upgrade school facilities
- Convert obsolete facilities into additional classroom space
- Establish a ten-year classroom technology fund

The Acalanes Union High School District has been blessed with great community support in past bond and parcel tax elections. We hope that this support continues in November. As you well know, the district cannot depend on the State of California to provide the resources needed to maintain the Acalanes Union High School District facilities and infrastructure that support our quality academic programs.

Enclosed are 10 copies of the resolution for your council members and staff. Please let me know if you need any additional information.

As you know, I cannot advocate for the bond, but I can make factual presentations. If you would like me to make a presentation to the council, please let me know.

Please contact me at 925.280.3900 ext. 6602, if you have questions regarding the bond.

Sincerely,

Jim Negri

Jim Negri, Superintendent

Enclosures (10)

RESOLUTION OF THE BOARD OF TRUSTEES OF ACALANES UNION HIGH SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

RESOLUTION NO. 08-09-01

WHEREAS, the Board of Trustees (the "Board") has determined that the educational facilities within the Acalanes Union High School District (the "District") need to be upgraded, repaired, improved, and better equipped to enable the District to enhance the educational opportunities of all students in the District; and

WHEREAS, notwithstanding ongoing efforts to obtain sufficient facility money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately maintain all of its educational facilities; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional facility and site improvement funding for such needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIIIA of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, will reduce the voter threshold for ad valorem tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board hereby determines that, in accordance with the opinion of the Attorney General of the State of California, that the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for administrative salaries or other operating expenses of the District be strictly enforced by the District's Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per $100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 *et seq.* of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement to contained in all official materials, including any ballot pamphlet prepared, sponsored, or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 4, 2008, and to request the Contra Costa County Registrar of Voters to perform certain election services for the District;

NOW THEREFORE, THE BOARD OF THE ACALANES UNION HIGH SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the Contra Costa County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed $93 million (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits A and B hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 4, 2008.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot propositions in Exhibit "A" and "B" are subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher and administrator salaries and other school operating expense;

(b) that the Board, in establishing the projects set forth in Exhibit "B", evaluated the safety, class size reduction, classroom, educational, and information technology needs of the District as well as the importance of the projects to student achievement and enhanced instruction;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the projects identified in Exhibit "B" hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Elections Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed $30 per $100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIIIA of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Sections 5322 of the Education Code.

Section 6. That the Contra Costa County Registrar of Voters and the Contra Costa County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2008, within the District.

Section 7. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the Contra Costa County Registrar of Voters no later than August 8, 2008.

Section 8. That the maturity of any Bonds issued pursuant to Section 15264 *et seq.* of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years, and Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

[Balance of page left intentionally blank]

Section 10. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Contra Costa County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Contra Costa County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 21st day of July 2008.

BOARD OF TRUSTEES OF THE ACALANES UNION HIGH SCHOOL DISTRICT

By Judy Carney
President

Attest:

James Paul Negri
Secretary

STATE OF CALIFORNIA)
)ss
CONTRA COSTA COUNTY)

I, James Negri, do hereby certify that the foregoing is a true and correct copy of Resolution No. 08-09-01, which was duly adopted by the Board of Trustees of the Acalanes Union High School District at meeting thereof held on the 21st day of July 2008, and that it was so adopted by the following vote:

AYES: Carney, Coppersmith, Crews, Mulvaney, Whitmore

NOES: None

ABSENT: None

ABSTENTIONS: None

By James Negri
James Negri, Secretary

EXHIBIT A

"Acalanes Union High School District Improvement. To establish a ten-year technology fund, upgrade instructional classroom technology, replace worn, aging roofs, convert obsolete facilities into additional classroom space, upgrade electrical and energy management systems to improve efficiency and repair, construct, equip or upgrade school facilities, shall the Acalanes Union High School District issue $93 million in bonds at interest rates within the legal limit, with all expenditures reviewed by an independent citizens' oversight committee without increasing current tax rates?"

Bonds – Yes

Bonds – No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION
OF THE ACALANES UNION HIGH SCHOOL DISTRICT
BOND MEASURE ELECTION NOVEMBER 4, 2008

The following is the full proposition presented to the voters by the Acalanes Union High School District.

"Acalanes Union High School District Improvement. To establish a ten-year technology fund, upgrade instructional classroom technology, replace worn, aging roofs, convert obsolete facilities into additional classroom space, upgrade electrical and energy management systems to improve efficiency and repair, construct, equip or upgrade school facilities, shall the Acalanes Union High School District issue $93 million in bonds at interest rates within the legal limit, with all expenditures reviewed by an independent citizens' oversight committee without increasing current tax rates?"

PRIORITY SCHOOL PROJECTS LIST

The Board of Trustees of the Acalanes Union High School District evaluated the District's urgent and critical facility needs, including safety issues, enrollment trends, class size, and computer and information technology, in developing the scope of projects to be funded. In developing the scope of projects, teachers, staff and community members have prioritized the key health and safety needs so that the most critical facility needs are addressed. The Board conducted a facilities evaluation and received public input and review in developing this Priority School Projects List, as reflected in the District's Facility Master Plan, approved by the Board on July 21, 2008, incorporated herein, and as shall be amended from time to time. The District's Facility Master Plan is on file at the Superintendent's Office and on the District's website, www.acalanes.k12.ca.us. This input concluded that if these needs were not addressed now, the problems would only get worse. **In approving this Priority School Projects List, the Board of Trustees determines that the District must:**

(i) Upgrade instructional classroom technology;

(ii) Replace worn, aging roofs;

(iii) Upgrade electrical and energy management systems to improve efficiency;

(iv) Repair, construct, equip, or upgrade school facilities;

(v) Convert obsolete facilities into additional classroom space; and

(vi) Establish a ten-year classroom technology fund.

The Bond Project List is on file at the District Office of the Superintendent and includes the following projects:

PRIORITY SCHOOL PROJECTS

Project costs for repair and renovation of all existing school facilities include, but are not limited to, some or all of the following: improve electrical systems for classroom technology; repair and/or replace leaky roofs, heating, and ventilation systems; repair and replace worn-out windows, walls and doors, and hardware; upgrade or replace walk-way canopies; repair and replace fire alarms, and security systems (including outdoor lighting); interior and exterior painting; demolition; improve drainage and irrigation systems; restore stadium surfaces; inspect for and abate any hazardous materials; install instructional classroom technology; replace gas and water mains for safety; convert obsolete campus facilities such as darkrooms into classroom space; and implement ten-year classroom technology replacement plan.

Acalanes High School (Built in 1940)

- Upgrade aging and outdated classroom technology.
- Replace or repair old and leaky roofs to prevent damage to classrooms, carpeting, floors and walls.
- Upgrade electrical systems to accommodate modern classroom and laboratory technology.
- Upgrade classrooms to enhance student achievement.
- Replace existing 50-year old swimming pool.
- Replace floor in small gym.
- Convert obsolete facilities into additional classroom space.
- Convert storage space into an art lab.
- Upgrade energy management system to improve efficiency, conserve energy, and reduce costs.

Campolindo High School (Built in 1961)

When the district began the renovations of its schools with voter-approved bond funds, Campolindo was its newest school and required less renovation work than the other schools. Campolindo is now 50 years old and in need of significant repair and renovation.

- Upgrade aging and outdated classroom technology.
- Replace or repair old and leaky roofs to prevent damage to classrooms, carpeting, floors and walls.

- Upgrade electrical systems to accommodate modern classroom and laboratory technology.
- Enhance student safety with improved security systems, outdoor lighting, and fire alarm systems.
- Upgrade aging and/or deteriorating restrooms.
- Replace worn mechanical equipment including exhaust fans, heating, ventilation, and cooling systems.
- Convert obsolete facilities into additional classroom space.
- Convert an obsolete classroom into a career technology classroom.
- Modernize music classrooms and the cafeteria.
- Convert existing space to expand the number of science classrooms to accommodate student demand.
- Upgrade energy management system to improve efficiency, conserve energy, and reduce costs.

Las Lomas High School (Built in 1950)

- Upgrade aging and outdated classroom technology.
- Replace or repair old and leaky roofs to prevent damage to classrooms, carpeting, floors and walls.
- Upgrade electrical systems to accommodate modern classroom and laboratory technology.
- Add additional restrooms.
- Improve campus safety by replacing outdated main gas and water lines.
- Enhance student safety with improved outdoor lighting.
- Renovate and upgrade culinary career classroom.
- Update classroom space for art instruction.
- Replace pedestrian bridge walkways to ensure safety.
- Upgrade energy management to improve efficiency, conserve energy, and reduce costs.

Miramonte High School (Built in 1955)

- Upgrade aging and outdated classroom technology.
- Replace or repair old and leaky roofs to prevent damage to classrooms, carpeting, floors and walls.
- Upgrade electrical systems to accommodate modern classroom and laboratory technology.
- Replace worn mechanical equipment including exhaust fans, heating, ventilation, and cooling system.
- Improve campus safety by replacing outdated gas and water mains.
- Renovate and upgrade the 420 art classroom building.
- Renovate and update culinary career classroom.
- Upgrade energy management system to improve efficiency, conserve energy, and reduce costs.

District Office (Built in 1955)

- Repair and expand existing District administrative center.

Del Valle Educational Center (Built in 1958)

The Del Valle Campus serves the Acalanes Adult Education Center and two alternative high schools, Del Oro High School and the Center for Independent Study. The Adult Education Program serves 8,000 community members. The facilities have not benefited significantly from previous local or state bonds. As the baby boomer population ages, the demand for programs and classrooms at this 50-year old campus continues to increase.

- Improve the Adult Education facilities by constructing a new classroom building.
- Renovate existing classrooms.
- Increase parking.

Ten-Year Classroom Technology

- Create a ten-year technology fund to provide students and teachers with up-to-date classroom computers and technology.

* * *

The listed building repair and rehabilitation projects, including upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a

customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the Priority School Projects List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies, construction documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over IP, call manager and network security/firewall, and other miscellaneous equipment and software. The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project.

In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. Certain projects may be undertaken as joint use projects in cooperation with other local public agencies. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration, landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Bond proceeds shall only be expended for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

NO ADMINISTRATOR SALARIES: PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL

FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.